GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

MA & UD Dept. – Land lease - Allotment of municipal site admeasuring 11,200 sq. ft. or 1040 sq. yards (i.e.160 feet X 70 feet) situated at Venkat Nagar in open auction plots in L.P. No. 9/73, Sy. No. 2258 & 2256/2B in favour of Kakinada Weavers Community on lease basis for 25 years for construction of Kalyana Mandapam – Permission Accorded – Orders – Issued.

MUNICIPAL ADMINISTRATION & URBAN DEVELOPMENT (J2) DEPARTMENT

G.O.MS.No. 83 Dated: 18-02-2019
Read the following:-

1. G.O. Ms. No. 72, MA & UD (G1) Dept., dt. 20.02.2002.
2. From the Commissioner, Kakinada Municipal Corporation, Kakinada, letter Roc. No. 16516/2002/G2, Dt.27.06.2009.
3. From the C&D.M.A., A.P., Hyderabad letter Roc. No. 12360/2014/J1, dt.05.01.2015.
4. From the Commissioner, Kakinada Municipal Corporation, Kakinada, letter Roc. No. 16516/2002/G2, Dt.07.09.2018.
5. From the Director of Town & Country Planning, A.P., Guntur letter Roc. No. MAU03-19022(31)/64/2018-RJDR, dt. 05.12.2018.
6. From the Commissioner, Kakinada Municipal Corporation, Kakinada, letter Roc. No. 16516/2002/G2, Dt.06.02.2018.

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O R D E R:-

In the reference 2nd read above, the Commissioner, Kakinada Municipal Corporation, Kakinada submitted proposal for allotment of Municipal site admeasuring 3000 Sq. yards in the reserve open space of L.P.No.557/82 in favour of Weavers Community for the construct of Kalyana Mandapam together with C.R.No.419, Dt:25.09.2002 and requested to issue necessary instructions in the matter, keeping in view the orders issued vide GO 1st read above.

p.t.o

2. The Commissioner & Director of Municipal Administration, Hyderabad vide reference 3rd read above, while forwarding the proposal of the Commissioner, Kakinada Municipal Corporation has reported that the proposal is against the guidelines prescribed in the G.O 1st read above and therefore, requested to reject the proposal of Municipal Council, Kakinada Municipal Corporation with a direction to issue necessary instructions in the matter not to propose such type of alienation of land in reserved open space.

3. In the reference 4th read above, the Commissioner, Kakinada Municipal Corporation has further reported that since the subject matter is covered under layout open space of L.P.No.557/82, and as per Rule 10–A of Municipal Corporation of Hyderabad Layout Rules, 1965 and also in pursuance of the GO 1st read above, it is not permissible to allot Municipal land to an extent of 3000 sq.yds in layout open space of L.P.No.557/82 in favour of Weavers Community for construction of Kalyana Mandapam. He has also reported that on receipt of request from the Weaver Community for allotment of suitable alternative site, the same will be identified for construction of community hall in other than layout open spaces.

4. In the reference 5th read above, the Director of Town & Country Planning, A.P., Guntur has stated that as per judgment of the Hon'ble Supreme Court of India and Hon’ble High Court of A.P., and also as per G.O. first read above, the Government or local body has no jurisdiction to convert the site reserved for parks, play grounds and other specific purposes mentioned in the approved layout. Same stand has been confirmed in Judgment, dated:06-10-2015 in W.P.No.35449/2012, where it was ordered that living space provided for betterment for environment cannot be utilized for any other purpose or any public purposes. Hence, open space cannot be allotted for construction of Kalyana Mandapam as the proposed usage of the land is not intended use and another suitable land parcel shall be chosen for the construction of Kalyana Mandapam for the welfare of Weavers Community.

5. The Commissioner, Kakinada Municipal Corporation, Kakinada has submitted another proposal identifying alternative land admeasuring 11,200 sq.feet or 1040 sq.yards (i.e., 160 feet x 70 feet) situated at Venkat Nagar in open auction plots in L.P.No.9/73, Sy.No.2258 & 2256/2B in favour of Kakinada Wavers Community on lease basis for 25 years for construction of Kalyana Mandapam.

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6. After careful examination of the matter, Government hereby accord permission to allot alternative site admeasuring 11,200 sq.feet or 1040 sq.yards (i.e., 160 feet x 70 feet) situated at Venkat Nagar in open auction plots in L.P.No.9/73, Sy.No.2258 & 2256/2B in favour of Kakinada Wavers Community on lease basis for 25 years, as per the rules in existence, for construction of Kalyana Mandapam, subject to condition that the allotment of alternative site proposals shall be placed before the Standing Council, Kakinada Municipal Corporation and pass the Resolution.

7. The Director of Municipal Administration, A.P., Guntur and the Commissioner, Kakinada Municipal Corporation, Kakinada are requested to take further necessary action, accordingly.

[BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH]

R.KARIKAL VALAVEN
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Director of Municipal Administration, A.P., Guntur
The Commissioner, Kakinada Municipal Corporation, Kakinada
Copy to:-
The General Administration (Cab) Dept. (wrt C.R. No. 201/2019, dt.11.02.2019)
The P.S. to M (MA)
The P.S. to Spl. CS to C.M.
The P.S. to Prl. Secy. to Govt., MA & UD Dept.
Sc/sf

// FORWARDED BY ORDER //

SECTION OFFICER